

Article - Local Government

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§10–324.

(a) (1) A county may enact local laws relating to zoning and planning to protect and promote public safety, health, morals, and welfare, including:

(i) except as provided in § 10–305 of this subtitle, providing for the right to seek review in the circuit court of any matter arising under any local planning or zoning law; and

(ii) establishing a program for the transfer of development rights.

(2) A county may provide that a violation of a zoning law or regulation enacted under this section is a civil zoning violation, enforceable as provided under Title 11, Subtitle 2 of the Land Use Article.

(3) Any decision of the circuit court under paragraph (1)(i) of this subsection may be appealed to the Court of Special Appeals.

(b) (1) It is the policy of the State that the orderly development and use of land and structures requires comprehensive regulation through implementation of planning and zoning controls.

(2) It is the policy of the State that planning and zoning controls shall be implemented by local government.

(3) To achieve the public purposes of this regulatory scheme, the General Assembly recognizes that local government action will displace or limit economic competition by owners and users of property.

(4) It is the policy of the State that competition and enterprise shall be so displaced or limited for the attainment of the purposes of the State policy for implementing planning and zoning controls as provided by public local law and public general law.

(c) Subsection (b) of this section does not:

(1) grant to the county powers in any substantive area not otherwise granted to the county by other public general law or public local law;

(2) restrict the county from exercising any power granted to the county by other public general law, public local law, or otherwise;

(3) authorize the county or its officers to engage in any activity that is beyond their power under other public general law, public local law, or otherwise;
or

(4) preempt or supersede the regulatory authority of any unit of State government under any public general law.

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